

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARIEN BARBER,

*Petitioner,*

v.

DANIEL P. BURNS,

*Respondent.*

Civil Action

No. 13-cv-1636

**ORDER**

AND NOW, this 5<sup>th</sup> day of February, 2024, upon consideration of the Report and Recommendation by Magistrate Judge Elizabeth T. Hey, to which no objections were filed within the time required by Local Civil Rule 72.1 IV(b), it is hereby **ORDERED** that:

1. The Report and Recommendation (ECF No. 54) is **APPROVED AND ADOPTED**.<sup>1</sup>
2. The petition for a writ of habeas corpus (ECF No. 1) is **DENIED**. There is no basis to issue a certificate of appealability.
3. The Clerk of Court shall mark this case closed.

**BY THE COURT:**

/s/ Mitchell S. Goldberg  
**MITCHELL S. GOLDBERG, J.**

<sup>1</sup> A district judge is only required to review “those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1). However, I have reviewed the Report and Recommendation and determined it to be correct. See Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987).